



General Assembly

Substitute Bill No. 1209

January Session, 2011

* ____SB01209JUD__041511____ *

**AN ACT CONCERNING THE REVISOR'S TECHNICAL CORRECTIONS
TO THE GENERAL STATUTES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 1-2b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 [(a)] For purposes of sections 1-100oo, 1-206, 2-71r, 4-183, 4a-52a, 4a-
4 60q, 4a-63, 4a-100, 4e-34, 4e-35, 7-65, 7-148w, 7-247a, 7-473c, 7-478e, 8-
5 3b, 8-3i, 8-7d, 8-26b, 8-169r, 8-293, 9-388, 9-608, 9-623, 10a-22c, 10a-22i,
6 10a-34a, 10a-109n, 12-35, 12-157, 12-242ii, 12-242jj, 13a-80, 13a-85c, 13a-
7 123, 15-11a, 16-41, 16-50c, 16-50d, 17a-103b, 19a-87, 19a-87c, 19a-209c,
8 19a-332e, 19a-343a, 19a-486a, 19a-486c, 19a-486d, 19a-497, 19a-507b, 20-
9 205a, 20-325a, 21-63, 21-80, 22-7, 22a-6b, 22a-6u, 22a-30, 22a-42d, 22a-
10 42f, 22a-66d, 22a-137, 22a-178, 22a-225, 22a-228, 22a-250, 22a-285b, 22a-
11 354p, 22a-354s, 22a-354t, 22a-361, 22a-371, 22a-401, 22a-403, 22a-433,
12 22a-436, 22a-449f, 22a-449l, 22a-449n, 22a-504, 22a-626, 23-46, 23-65j, 23-
13 651, 23-65p, 25-32, 25-32e, 25-331, 25-34, 25-204, 25-234, 29-108d, 31-57c,
14 31-57d, 31-355, 32-613, 33-663, 33-929, 33-1053, 33-1219, 34-521, 35-42,
15 36a-50, 36a-51, 36a-52, 36a-53, 36a-82, 36a-184, 36a-493, 36b-62, 36b-72,
16 38-323a, 38a-344, 38a-676, 38a-724, 38a-788, 42-158j, 42-161, 42-181, 42-
17 182, 42-186, 42-271, 45a-716, 46a-82e, 46b-115w, 46b-128, 47-42d, 47-74f,
18 47-88b, 47-236, 47-284, 47a-11b, 47a-11d, 47a-13a, 47a-14h, 47a-56b, 49-
19 2, 49-4a, 49-8, 49-8a, 49-10b, 49-31b, 49-51, 49-70, 51-90e, 52-57, 52-59b,

20 52-63, 52-64, 52-195c, 52-350e, 52-351b, 52-361a, 52-362, 52-565a, 52-605,
21 52-606, 53-401, 53a-128, 53a-128d, 53a-207 and 54-82c and chapter 965,
22 any reference to certified mail, return receipt requested, shall include
23 mail, electronic, and digital methods of receiving the return receipt,
24 including all methods of receiving the return receipt identified by the
25 Mailing Standards of the United States Postal Service in Chapter 500 of
26 the Domestic Mail Manual or any subsequent corresponding
27 document of the United States Postal Service.

28 [(b) The Legislative Commissioners' Office shall, in codifying the
29 provisions of this section, make such technical, grammatical and
30 punctuation changes and statutory placements and classifications,
31 including, but not listed in subsection (a) of this section as are
32 necessary to carry out the purposes of this section.]

33 Sec. 2. Section 1-4 of the general statutes is repealed and the
34 following is substituted in lieu thereof (*Effective from passage*):

35 In each year the first day of January (known as New Year's Day), the
36 fifteenth day of January of each year prior to 1986, and commencing on
37 the twentieth day of January in 1986, the first Monday occurring on or
38 after January fifteenth (known as Martin Luther King, Jr. Day), the
39 twelfth day of February (known as Lincoln Day), the third Monday in
40 February (known as Washington's Birthday), the last Monday in May
41 (known as Memorial Day or Decoration Day), the fourth day of July
42 (known as Independence Day), the first Monday in September (known
43 as Labor Day), the second Monday in October (known as Columbus
44 Day), the eleventh day of November (known as Veterans' Day) and the
45 twenty-fifth day of December (known as Christmas) and any day
46 appointed or recommended by the Governor of this state or the
47 President of the United States as a day of thanksgiving, fasting or
48 religious observance, shall each be a legal holiday, except that
49 whenever any of such days which are not designated to occur on
50 Monday, occurs upon a Sunday, the Monday next following such day
51 shall be a legal holiday and whenever any of such days occurs upon a
52 Saturday, the Friday immediately preceding such day shall be a legal

53 holiday. When any such holiday, except holidays in January and
54 December, occurs on a school day, each local and regional board of
55 education may close the public schools under its jurisdiction for such
56 day or hold a session of the public schools on such day, provided, if a
57 session is held, the board shall require each school to hold a suitable
58 nonsectarian educational program in observance of such holiday. If a
59 holiday in January or December occurs on a school day, there shall be
60 no session of the public schools on such day.

61 Sec. 3. Section 1-6 of the general statutes is repealed and the
62 following is substituted in lieu thereof (*Effective from passage*):

63 The standard of time for the seventy-fifth meridian west of
64 Greenwich shall be the standard of time for this state, except that the
65 standard of time of this state shall be one hour in advance of such
66 established time from two o'clock ante meridian on the [first] second
67 Sunday in [April] March until two o'clock ante meridian on the [last]
68 first Sunday in [October] November.

69 Sec. 4. Section 1-65bb of the general statutes is repealed and the
70 following is substituted in lieu thereof (*Effective from passage*):

71 As used in sections 1-65aa to 1-65hh, inclusive, and section 53a-156:

72 (1) "Boundaries of the United States" means the geographic
73 boundaries of the United States, Puerto Rico, the United States Virgin
74 Islands [,] and any territory or insular possession subject to the
75 jurisdiction of the United States.

76 (2) "Law" includes the United States Constitution or a state
77 constitution, a federal or state statute, a judicial decision or order, a
78 rule of court, an executive order [,] or an administrative rule,
79 regulation or order.

80 (3) "Record" means information that is inscribed on a tangible
81 medium or that is stored in an electronic or other medium and is
82 retrievable in perceivable form.

83 (4) "Sign" means, with present intent to authenticate or adopt a
84 record:

85 (A) To execute or adopt a tangible symbol; or

86 (B) To attach to or logically associate with the record an electronic
87 symbol, sound or process.

88 (5) "State" means a state of the United States, the District of
89 Columbia, Puerto Rico, the United States Virgin Islands [,] or any
90 territory or insular possession subject to the jurisdiction of the United
91 States.

92 (6) "Sworn declaration" means a declaration in a signed record given
93 under oath. "Sworn declaration" includes a sworn statement,
94 verification, certificate or affidavit.

95 (7) "Unsworn declaration" means a declaration in a signed record
96 that is not given under oath, but is given under penalty of perjury.

97 Sec. 5. Subsection (c) of section 2-8 of the general statutes is repealed
98 and the following is substituted in lieu thereof (*Effective from passage*):

99 (c) In lieu of the compensation payable under subsection (a) of this
100 section, the speaker of the House of Representatives and the president
101 pro tempore of the Senate shall each receive thirty-eight thousand six
102 hundred eighty-nine dollars for each year of the term for which said
103 officer so serves, the majority and minority leaders of the House of
104 Representatives and of the Senate shall each receive thirty-six
105 thousand eight hundred thirty-five dollars for each year of the term for
106 which said officer so serves, the deputy speaker and the deputy
107 majority and minority leaders of the House of Representatives and of
108 the Senate shall each receive thirty-four thousand four hundred forty-
109 six dollars for each year of the term in which said officer so serves,
110 each assistant majority and minority leader and majority and minority
111 whip of the House and Senate and the chairpersons of each joint
112 standing committee, except the Joint [Standing] Committee on

113 Legislative Management, shall each receive thirty-two thousand two
114 hundred forty-one dollars for each year of the term in which said
115 chairperson so serves and the ranking members of each joint standing
116 committee, except the Joint [Standing] Committee on Legislative
117 Management, shall each receive thirty thousand four hundred three
118 dollars for each year of the term in which said officer so serves to be
119 paid as provided in subsection (a) of this section. Each of said officers
120 shall receive as reimbursement for expenses for each year of the term
121 for which the officer is elected five thousand five hundred dollars if the
122 officer is a senator and four thousand five hundred dollars if the officer
123 is a representative, payable as provided in subsection (b) of this
124 section. Each of said officers shall have the same option to elect
125 payment of one-twelfth of the officer's compensation for each year of
126 the term for which the officer is elected payable in equal monthly
127 installments in such year as is provided for other members under the
128 provisions of subsection (a) of this section.

129 Sec. 6. Section 2-11 of the general statutes is repealed and the
130 following is substituted in lieu thereof (*Effective from passage*):

131 The Joint [Standing] Committee on Legislative Management shall
132 employ all stenographers required by the joint standing and joint
133 special committees of the General Assembly. It shall provide for and
134 furnish to the State Library one original copy of all such reports of
135 committee hearings as any of the several committees shall require to be
136 made and transcribed by the stenographer of such committee for its
137 use.

138 Sec. 7. Section 2-15 of the general statutes is repealed and the
139 following is substituted in lieu thereof (*Effective from passage*):

140 The Comptroller shall draw his order on the Treasurer for a
141 transportation allowance for each member or member-elect of the
142 General Assembly, and the Treasurer shall pay to such member as an
143 allowance for transportation, such rate per mile as shall from time to
144 time be determined by the Joint [Standing] Committee on Legislative

145 Management. The allowance shall be paid for each mile on each day
146 that such member is required to travel: (1) From his home to the State
147 Capitol and return therefrom to attend a session of the General
148 Assembly or a meeting of a committee of the General Assembly or a
149 public hearing held by any such committee or for other official
150 legislative business, or (2) from his home to such other location within
151 the state at which any such committee meeting or public hearing is
152 held and return therefrom.

153 Sec. 8. Subsection (a) of section 2-53g of the general statutes is
154 repealed and the following is substituted in lieu thereof (*Effective from*
155 *passage*):

156 (a) The Legislative Program Review and Investigations Committee
157 shall: (1) Direct its staff and other legislative staff available to the
158 committee to conduct program reviews and investigations to assist the
159 General Assembly in the proper discharge of its duties; (2) establish
160 policies and procedures regarding the printing, reproduction and
161 distribution of its reports; (3) review staff reports submitted to the
162 committee and, when necessary, confer with representatives of the
163 state departments and agencies reviewed in order to obtain full and
164 complete information in regard to programs, other activities and
165 operations of the state, and may request and shall be given access to
166 and copies of, by all public officers, departments, agencies and
167 authorities of the state and its political subdivisions, such public
168 records, data and other information and given such assistance as the
169 committee determines it needs to fulfill its duties. Any statutory
170 requirements of confidentiality regarding such records, data and other
171 information, including penalties for violating such requirements, shall
172 apply to the committee, its staff and its other authorized
173 representatives in the same manner and to the same extent as such
174 requirements and penalties apply to any public officer, department,
175 agency or authority of the state or its political subdivisions. The
176 committee shall act on staff reports and recommend in its report, or
177 propose, in the form of a raised committee bill, such legislation as may

178 be necessary to modify current operations and agency practices; (4)
179 consider and act on requests by legislators, legislative committees,
180 elected officials of state government and state department and agency
181 heads for program reviews. The request shall be submitted in writing
182 to the Legislative Program Review and Investigations Committee and
183 shall state reasons to support the request. The decision of the
184 committee to grant or deny such a request shall be final; (5) conduct
185 investigations requested by joint resolution of the General Assembly,
186 or, when the General Assembly is not in session, (A) requested by a
187 joint standing committee of the General Assembly or initiated by a
188 majority vote of the Legislative Program Review and Investigations
189 Committee and approved by the Joint Committee on Legislative
190 Management, or (B) requested by the Joint [Standing] Committee on
191 Legislative Management. In the event two or more investigations are
192 requested, the order of priority shall be determined by the Legislative
193 Program Review and Investigations Committee; (6) retain, within
194 available appropriations, the services of consultants, technical
195 assistants, research and other personnel necessary to assist in the
196 conduct of program reviews and investigations; (7) originate, and
197 report to the General Assembly, any bill it deems necessary concerning
198 a program, department or other matter under review or investigation
199 by the committee, in the same manner as is prescribed by rule for joint
200 standing committees of the General Assembly; and (8) review audit
201 reports after issuance by the Auditors of Public Accounts, evaluate and
202 sponsor new or revised legislation based on audit findings, provide
203 means to determine compliance with audit recommendations and
204 receive facts concerning any unauthorized, illegal, irregular or unsafe
205 handling or expenditures of state funds under the provisions of section
206 2-90.

207 Sec. 9. Section 2-54 of the general statutes is repealed and the
208 following is substituted in lieu thereof (*Effective from passage*):

209 There shall be maintained a Legislative Commissioners' Office for
210 the use and information especially of the members of the General

211 Assembly, the officers of the several state agencies and the public. Said
212 office shall be under the general direction of two legislative
213 commissioners. Biennially one commissioner shall be appointed by the
214 General Assembly to hold office for four years from the first day in
215 July in the year of his appointment and until his successor has been
216 appointed and has qualified. Said commissioners shall not be of the
217 same political party. Each commissioner shall be an attorney at law
218 and shall have been admitted to practice before the courts of the state
219 of Connecticut for at least six years prior to his appointment. The
220 salary of each commissioner shall be established by the Joint
221 [Standing] Committee on Legislative Management.

222 Sec. 10. Section 2-54a of the general statutes is repealed and the
223 following is substituted in lieu thereof (*Effective from passage*):

224 When the General Assembly is not in session and there is a vacancy
225 in the position of legislative commissioner, such vacancy may be filled
226 by the Joint [Standing] Committee on Legislative Management until
227 the sixth Wednesday of the next session of the General Assembly and
228 until a successor is appointed and has qualified pursuant to section 2-
229 54.

230 Sec. 11. Subsection (g) of section 2-120 of the general statutes is
231 repealed and the following is substituted in lieu thereof (*Effective from*
232 *passage*):

233 (g) There shall be an executive director of the Latino and Puerto
234 Rican Affairs Commission. The executive director and any necessary
235 staff shall be employed by the Joint [Standing] Committee on
236 Legislative Management. The commission shall have no authority over
237 staffing or personnel matters.

238 Sec. 12. Subsection (f) of section 2-121 of the general statutes is
239 repealed and the following is substituted in lieu thereof (*Effective from*
240 *passage*):

241 (f) There shall be an executive director of the African-American

242 Affairs Commission. The executive director and any necessary staff
243 shall be employed by the Joint [Standing] Committee on Legislative
244 Management. The commission shall have no authority over staffing or
245 personnel matters.

246 Sec. 13. Subsection (f) of section 2-122 of the general statutes is
247 repealed and the following is substituted in lieu thereof (*Effective from*
248 *passage*):

249 (f) There shall be an executive director of the Asian Pacific American
250 Affairs Commission. The executive director and any necessary staff
251 shall be employed by the Joint [Standing] Committee on Legislative
252 Management. The commission shall have no authority over staffing or
253 personnel matters.

254 Sec. 14. Section 2c-3 of the general statutes is repealed and the
255 following is substituted in lieu thereof (*Effective from passage*):

256 The Legislative Program Review and Investigations Committee,
257 established by the provisions of section 2-53e, shall conduct a
258 performance audit of each governmental entity and program
259 scheduled for termination under section 2c-2b. The Legislative
260 Program Review and Investigations Committee shall complete its
261 performance audit by January first of the year in which the
262 governmental entity and program are scheduled for termination under
263 section 2c-2b. In conducting the audit, the committee shall take into
264 consideration, but not be limited to considering, the factors set forth in
265 sections 2c-7 and 2c-8. The entities enumerated in section 2c-2b shall
266 cooperate with the Legislative Program Review and Investigations
267 Committee in carrying out the purposes of sections 2c-1 to 2c-12,
268 inclusive, and shall provide such information, books, records and
269 documents as said committee may require to conduct its performance
270 audit. Each governmental entity or program scheduled for termination
271 pursuant to section 2c-2b shall provide at the request of the Legislative
272 Program Review and Investigations Committee an analysis of its
273 activities which specifically addresses the factors enumerated in

274 sections 2c-7 and 2c-8.

275 Sec. 15. Section 2c-21 of the general statutes is repealed and the
276 following is substituted in lieu thereof (*Effective from passage*):

277 Unless otherwise provided by law, a provision of the general
278 statutes or of a special act which creates, empowers or establishes a
279 board, commission, council, authority, task force or other body on or
280 after January 4, 1995, the primary purpose of which body is to submit a
281 report, findings or recommendations, shall be deemed to be repealed
282 one hundred [and] twenty days after the date on which such body is
283 required to submit its report, findings or recommendations.

284 Sec. 16. Section 3-110i of the general statutes is repealed and the
285 following is substituted in lieu thereof (*Effective from passage*):

286 Charles Edward Ives is designated as the composer of the state of
287 Connecticut. There shall be a "Charles Edward Ives Memorial
288 Composer Laureate of the state of Connecticut". The board of directors
289 of the Charles Ives Center for the Arts, in consultation with the panel
290 established under this section, may designate from time to time a
291 composer who was born or is living in Connecticut to serve in the
292 position of composer laureate. There is established a panel that shall
293 meet from time to time to advise said board of directors on the
294 designation of the composer laureate. The panel shall be comprised of
295 eight members, one of whom shall be a representative of the
296 Connecticut Commission on Culture and Tourism, one of whom shall
297 be a representative of the New Haven Symphony Orchestra, one of
298 whom shall be a representative of the Hartford Symphony Orchestra,
299 one of whom shall be a representative of the Yale University School of
300 Music, one of whom shall be a representative of the Hartt School of
301 Music of The University of Hartford, one of whom shall be a
302 representative of The Charles Ives Society, Inc., one of whom shall be a
303 representative of The University of Connecticut through its music
304 department, and one of whom shall be a representative of the
305 Connecticut State University System through the music department of

306 Western Connecticut State University. Each member of the panel shall
307 be selected by the entity that the member represents.

308 Sec. 17. Subsection (a) of section 3-123h of the general statutes is
309 repealed and the following is substituted in lieu thereof (*Effective from*
310 *passage*):

311 (a) The State Comptroller may transfer from the Employers Social
312 Security Tax account the amount or any portion of the amount of
313 actual or projected savings in said account resulting from employee
314 participation in the flexible [savings] spending account [program]
315 programs, established in sections 5-264b to 5-264e, inclusive, to a
316 restrictive grant fund account for payment of administrative and
317 program costs of the flexible spending account [program] programs.
318 The total amount transferred for administrative costs pursuant to this
319 subsection shall not exceed two hundred fifty thousand dollars per
320 year.

321 Sec. 18. Subsection (b) of section 4a-62 of the general statutes is
322 repealed and the following is substituted in lieu thereof (*Effective from*
323 *passage*):

324 (b) The committee may request any agency of the state authorized to
325 award public works contracts or to enter into purchase of goods or
326 services contracts to submit such information on compliance with
327 sections 4a-60 and 4a-60g and at such times as the committee may
328 require. The committee shall consult with the Departments of Public
329 Works, Transportation and Economic Development and the
330 Commission on Human Rights and Opportunities concerning
331 compliance with the state programs for minority business enterprises.
332 The committee shall report annually on or before February first to the
333 Joint [Standing] Committee on Legislative Management on the results
334 of its ongoing study and include its recommendations, if any, for
335 legislation.

336 Sec. 19. Subsections (f) and (g) of section 8-30g of the general

337 statutes are repealed and the following is substituted in lieu thereof
338 (*Effective from passage*):

339 (f) Any person whose affordable housing application is denied, or is
340 approved with restrictions which have a substantial adverse impact on
341 the viability of the affordable housing development or the degree of
342 affordability of the affordable dwelling units in a set-aside
343 development, may appeal such decision pursuant to the procedures of
344 this section. Such appeal shall be filed within the time period for filing
345 appeals as set forth in section 8-8, 8-9, 8-28 or 8-30a, as applicable, and
346 shall be made returnable to the superior court for the judicial district
347 where the real property which is the subject of the application is
348 located. Affordable housing appeals, including pretrial motions, shall
349 be heard by a judge assigned by the Chief Court Administrator to hear
350 such appeals. To the extent practicable, efforts shall be made to assign
351 such cases to a small number of judges, sitting in geographically
352 diverse parts of the state, so that a consistent body of expertise can be
353 developed. Unless otherwise ordered by the Chief Court
354 Administrator, such appeals, including pretrial motions, shall be heard
355 by such assigned judges in the judicial district in which such judge is
356 sitting. Appeals taken pursuant to this subsection shall be privileged
357 cases to be heard by the court as soon after the return day as is
358 practicable. Except as otherwise provided in this section, appeals
359 involving an affordable housing application shall proceed in
360 conformance with the provisions of said section 8-8, 8-9, 8-28 or 8-30a,
361 as applicable.

362 (g) Upon an appeal taken under subsection (f) of this section, the
363 burden shall be on the commission to prove, based upon the evidence
364 in the record compiled before such commission, that the decision from
365 which such appeal is taken and the reasons cited for such decision are
366 supported by sufficient evidence in the record. The commission shall
367 also have the burden to prove, based upon the evidence in the record
368 compiled before such commission, that (1) (A) the decision is necessary
369 to protect substantial public interests in health, safety, or other matters

370 which the commission may legally consider; (B) such public interests
371 clearly outweigh the need for affordable housing; and (C) such public
372 interests cannot be protected by reasonable changes to the affordable
373 housing development, or (2) (A) the application which was the subject
374 of the decision from which such appeal was taken would locate
375 affordable housing in an area which is zoned for industrial use and
376 which does not permit residential uses; [.] and (B) the development is
377 not assisted housing, as defined in subsection (a) of this section. If the
378 commission does not satisfy its burden of proof under this subsection,
379 the court shall wholly or partly revise, modify, remand or reverse the
380 decision from which the appeal was taken in a manner consistent with
381 the evidence in the record before it.

382 Sec. 20. Section 9-19e of the general statutes is repealed and the
383 following is substituted in lieu thereof (*Effective from passage*):

384 Except during the period between the last session for the admission
385 of electors prior to an election and the day following that election, an
386 admitting official of any town, as defined in section 9-17a, may, at the
387 times and places prescribed by law, accept applications for admission
388 as an elector from persons who reside in any Connecticut town and
389 examine their qualifications. Each such application for admission shall
390 be made on a form prescribed by the [secretary of the state] Secretary
391 of the State and shall provide a space for application for enrollment in
392 a political party as provided in section 9-23a. Such admitting official
393 shall hand a receipt to the applicant and immediately mail the
394 application to the town clerk or registrars of voters of the town of
395 residence of the applicant. The town clerk or registrars of voters of the
396 town of residence of such applicant shall act upon such application,
397 upon its receipt, and shall note on such copy his or their action and the
398 date thereof, and if disapproved, his or their reasons therefor. If the
399 town clerk acts on the application, he shall deliver such copy to the
400 registrars as provided in section 9-20 and whoever acts upon the
401 application shall immediately send written notification to the
402 applicant, and if the application is disapproved, he or they shall send

such notification by certified mail. No person shall be admitted as an elector under this section unless his application has been approved by the town clerk or registrars of voters of his town of residence. Nothing in this section shall be construed to permit an admitting official to approve applications for admission as an elector in places located outside the boundaries of the municipality or district of which he is an official. Appeals may be taken from the action of such town clerk or registrars of voters under this section in accordance with section 9-31l. Any person making application for registration under this section shall be entitled to the privileges of an elector and party enrollment, if applicable, from the time such application for admission as an elector is approved by the town clerk or registrars of voters of his voting residence, provided if such application is made after twelve o'clock noon on the last business day before a primary, such applicant shall be entitled to the privileges of party enrollment immediately after the primary and provided if such application is made on the day of a caucus or convention, such applicant shall be entitled to the privileges of party enrollment immediately after the caucus or convention.

Sec. 21. Subsection (b) of section 9-164 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Upon the occurrence of a vacancy in a municipal office or upon the creation of a new office to be filled prior to the next regular election, a special municipal election may be convened either by the board of selectmen of the municipality or upon application of twenty electors of the municipality filed with the municipal clerk. The date of such election shall be determined by the board of selectmen of the municipality, and notice of such date shall be filed with the municipal clerk. In determining the date of such election, the board of selectmen shall allow the time specified for holding primaries for municipal office in section 9-423 and the time specified for the selection of party-endorsed candidates for municipal office in section 9-391. On application of twenty electors of the municipality, the date of such

436 election, as determined by the board of selectmen, shall be not later
437 than the one hundred fiftieth day following the filing of such
438 application. Except as otherwise provided by general statute, the
439 provisions of the general statutes pertaining to elections and primaries
440 shall apply to special municipal elections. No such election may be
441 held unless the municipal clerk first files notice of the office or offices
442 to be filled at such election with the town chairman of the town
443 committee of each major and minor party within the municipality and
444 with the [secretary of the state] Secretary of the State at least three
445 weeks in advance of the final time specified for the selection of party-
446 endorsed candidates for municipal office in section 9-391. The
447 municipal clerk shall forthwith warn such election in the same manner
448 as the warning of municipal elections pursuant to section 9-226.

449 Sec. 22. Section 9-453b of the general statutes is repealed and the
450 following is substituted in lieu thereof (*Effective from passage*):

451 The Secretary of the State shall not issue any nominating petition
452 forms for a candidate for an office to be filled at a regular election to be
453 held in any year prior to the first business day of such year. The
454 [secretary] Secretary shall not issue any nominating petition forms
455 unless the person requesting the nominating petition forms makes a
456 written application for such forms, which application shall contain the
457 following: (1) The name or names of the candidates to appear on such
458 nominating petition, compared by the town clerk of the town of
459 residence of each candidate with the candidate's name as it appears on
460 the last-completed registry list of such town, and verified and
461 corrected by such town clerk or in the case of a newly admitted elector
462 whose name does not appear on the last-completed registry list, the
463 town clerk shall compare the candidate's name as it appears on the
464 candidate's application for admission and verify and correct it
465 accordingly; (2) a signed statement by each such candidate that [he]
466 the candidate consents to the placing of [his] the candidate's name on
467 such petition; [,] and (3) the party designation, if any. An applicant for
468 petition forms who does not wish to specify a party designation shall

469 so indicate on [his] the application for such forms and [his] the
470 application, if so marked, shall not be amended in this respect. No
471 application made after November 3, 1981, shall contain any party
472 designation unless a reservation of such party designation with the
473 [secretary] Secretary is in effect for all of the offices included in the
474 application or unless the party designation is the same as the name of a
475 minor party which is qualified for a different office or offices on the
476 same ballot as the office or offices included in the application. The
477 [secretary] Secretary shall not issue such forms (A) unless the
478 application for forms on behalf of a candidate for the office of
479 presidential elector is accompanied by the names of the candidates for
480 President and Vice-President whom [he] the candidate for the office of
481 presidential elector represents and includes the consent of such
482 candidates for President and Vice-President; (B) unless the application
483 for forms on behalf of Governor or Lieutenant Governor is
484 accompanied by the name of the candidate for the other office and
485 includes the consent of both such candidates; (C) if petition forms have
486 previously been issued on behalf of the same candidate for the same
487 office unless the candidate files a written statement of withdrawal of
488 [his] the candidate's previous candidacy with the [secretary] Secretary;
489 and (D) unless the application meets the requirements of this section.

490 Sec. 23. Subsection (f) of section 10-183ff of the general statutes is
491 repealed and the following is substituted in lieu thereof (*Effective from*
492 *passage*):

493 (f) Upon determination by the Teachers' Retirement Board that a
494 member received, on or after November 1, 2008, an estimate of benefits
495 statement from the board that contained a material error, the board
496 shall pay the member the benefits set forth in such estimate if the
497 board determines that (1) the member could not reasonably have been
498 expected to detect such error, and (2) the member, in reliance upon
499 such estimate, irrevocably submitted (A) his or her resignation to the
500 employing board of education, and (B) a formal application of
501 retirement to the Teachers' Retirement Board. For purposes of this

502 subsection, [material error] "material error" means an error that
503 amounts to a difference of ten per cent or greater between the
504 estimated retirement benefits and the actual retirement benefits to
505 which such member would otherwise be entitled.

506 Sec. 24. Subdivision (82) of section 12-412 of the general statutes is
507 repealed and the following is substituted in lieu thereof (*Effective July*
508 *1, 2011*):

509 (82) (A) The sale of and the storage, use or other consumption of any
510 commercial motor vehicle, as defined in subparagraphs (A) and (B) of
511 subdivision [(15)] (14) of section 14-1, that is operating pursuant to the
512 provisions of section 13b-88 or 13b-89, during the period commencing
513 upon its purchase and ending one year after the date of purchase,
514 provided seventy-five per cent of its revenue from its days in service is
515 derived from out-of-state trips or trips crossing state lines.

516 (B) Each purchaser of a commercial motor vehicle exempt from tax
517 pursuant to the provisions of this subsection shall, in order to qualify
518 for said exemption, present to the retailer a certificate, in such form as
519 the commissioner may prescribe, certifying that seventy-five per cent
520 of such vehicle's revenue from its days in service will be derived from
521 out-of-state trips or trips crossing state lines. The purchaser of the
522 motor vehicle shall be liable for the tax otherwise imposed if, during
523 the period commencing upon its purchase and ending one year after
524 the date of purchase, seventy-five per cent of the vehicle's revenue
525 from its days in service is not derived from out-of-state trips or trips
526 crossing state lines.

527 Sec. 25. Subsection (a) of section 14-181 of the general statutes is
528 repealed and the following is substituted in lieu thereof (*Effective from*
529 *passage*):

530 (a) If the interest of an owner in a vehicle passes to another other
531 than by voluntary transfer, the transferee shall, except as provided in
532 subsection (b) of this section, promptly mail or deliver to the

533 commissioner the last certificate of title, if available, proof of the
534 transfer, and his application for a new certificate in the form the
535 commissioner prescribes.

536 Sec. 26. Subsection (c) of section 14-283b of the general statutes is
537 repealed and the following is substituted in lieu thereof (*Effective from*
538 *passage*):

539 (c) A violation of any provision of this section shall be an infraction,
540 except that if a violation of the provisions of subsection (a) of this
541 section results in the injury of the operator of an emergency vehicle,
542 the operator of the motor vehicle that caused such injury shall be fined
543 in an amount not to exceed two thousand five hundred dollars, and if
544 such violation results in the death of the operator of an emergency
545 vehicle, the operator of the motor vehicle that caused such death shall
546 be fined in an amount not to exceed ten thousand dollars.

547 Sec. 27. Subsection (b) of section 15-101mm of the general statutes is
548 repealed and the following is substituted in lieu thereof (*Effective from*
549 *passage*):

550 (b) The Bradley Board of Directors shall consist of seven members,
551 appointed as follows: The Commissioner of Transportation and the
552 Commissioner of Economic and Community Development, each
553 serving ex-officio, a representative appointed by the speaker of the
554 House of Representatives from the Connecticut Transportation
555 Strategy Board, created by section 13b-57e, a representative appointed
556 by the minority leader of the House of Representatives from among
557 the members of the Bradley International Community Advisory Board,
558 as created by section 15-101pp and three private sector members
559 appointed as follows: [(A)] (1) The Governor shall appoint one
560 member, who shall be the chairperson, and whose first term shall
561 expire on June 30, 2005, [(B)] (2) the president pro tempore of the
562 Senate shall appoint one member whose first term shall expire on June
563 30, 2005, [(C)] (3) the minority leader of the Senate shall appoint one
564 member whose first term shall expire on June 30, 2005. The term of

565 office of each successor shall be four years.

566 Sec. 28. Subdivision (2) of subsection (b) of section 16a-4c of the
567 general statutes is repealed and the following is substituted in lieu
568 thereof (*Effective from passage*):

569 (2) Any revision to the boundaries of a planning area, based on the
570 analysis completed pursuant to subsection (a) of this section or due to
571 a modification by the secretary in accordance with this subsection,
572 shall be effective on the first day of July following the date of
573 completion of such analysis or modification.

574 Sec. 29. Subsection (f) of section 17b-420 of the general statutes is
575 repealed and the following is substituted in lieu thereof (*Effective from*
576 *passage*):

577 (f) There shall be an executive director of the Commission on Aging.
578 There may be additional staff within available appropriations. The
579 commission shall be within the Legislative Department. The executive
580 director and any necessary staff shall be employed by the Joint
581 [Standing] Committee on Legislative Management. The commission
582 shall have no authority over staffing or personnel matters.

583 Sec. 30. Section 29-2a of the general statutes is repealed and the
584 following is substituted in lieu thereof (*Effective from passage*):

585 The Chief State's Attorney and the Attorney General, or their
586 designees who shall be attorneys in their respective offices, shall
587 annually conduct a legal review of the police policies and practices of
588 the Division of State Police within the Department of Public Safety,
589 including the policies and procedures relative to the protection of civil
590 liberties. They shall examine all police practices and procedures
591 followed by the Division of State Police and shall select the practices
592 and procedures to be reviewed. Such review may include, but not be
593 limited to: An evaluation of the Division of State Police policies and
594 practices to ensure that they comply with state and federal law;
595 recommendations for changes in those policies or practices to avoid

596 violations of federal and state constitutional, statutory or regulatory
597 provisions; and a summary of recent changes in statutory or case law
598 which may impact on those state police policies and practices. The
599 Chief State's Attorney and the Attorney General shall enter into a
600 cooperative agreement which shall define the staffing requirements for
601 the review and the specific process for the completion of the duties
602 required by the provisions of this section. On January 1, 1991, and
603 annually thereafter, the Chief State's Attorney and the Attorney
604 General shall submit the review to the Governor, the Commissioner of
605 Public Safety, the Auditors of Public Accounts, the joint standing
606 committee of the General Assembly having cognizance of matters
607 relating to the Department of Public Safety, the joint standing
608 committee of the General Assembly having cognizance of matters
609 relating to appropriations and the budgets of state agencies, and the
610 [legislative program review and investigations committee] Legislative
611 Program Review and Investigations Committee.

612 Sec. 31. Subsection (b) of section 32-9cc of the general statutes is
613 repealed and the following is substituted in lieu thereof (*Effective from*
614 *passage*):

615 (b) The office shall:

616 (1) Develop procedures and policies for streamlining the process for
617 brownfield remediation and development;

618 (2) Identify existing and potential sources of funding for brownfield
619 remediation and develop procedures for expediting the application for
620 and release of such funds;

621 (3) Establish an office to provide assistance and information
622 concerning the state's technical assistance, funding, regulatory and
623 permitting programs;

624 (4) Provide a single point of contact for financial and technical
625 assistance from the state and quasi-public agencies;

626 (5) Develop a common application to be used by all state and quasi-
627 public entities providing financial assistance for brownfield
628 assessment, remediation and development; [and]

629 (6) Identify and prioritize state-wide brownfield development
630 opportunities; and

631 (7) Develop and execute a communication and outreach program to
632 educate municipalities, economic development agencies, property
633 owners and potential property owners and other organizations and
634 individuals with regard to state policies and procedures for brownfield
635 remediation.

636 Sec. 32. Subsection (c) of section 34-33e of the general statutes is
637 repealed and the following is substituted in lieu thereof (*Effective from*
638 *passage*):

639 (c) If a limited partnership has filed a certificate of merger or
640 consolidation with an effective date later than the date of filing, and
641 abandonment has occurred, the limited partnership may file a
642 certificate of abandonment with the [secretary of the state] Secretary of
643 the State executed as provided in section 34-10a by each of the
644 abandoning limited partnerships which shall set forth: (1) The names
645 of the abandoning limited partnerships, (2) the fact that a certificate of
646 merger or consolidation was filed, (3) the date the merger or
647 consolidation was abandoned and (4) such other provisions with
648 respect to the abandonment as are deemed necessary or desirable.

649 Sec. 33. Subsection (c) of section 36a-573 of the general statutes is
650 repealed and the following is substituted in lieu thereof (*Effective from*
651 *passage*):

652 (c) Whenever it appears to the Banking Commissioner that any
653 person has violated the provisions of subsection (a) of this section or
654 offered a loan that violates the provisions of subsection (a) of this
655 section, the commissioner may investigate, take administrative action
656 or assess civil penalties and restitution in accordance with the

657 provisions of sections 36a-50 and 36a-52.

658 Sec. 34. Subdivisions (a) and (b) of section 45a-644 of the general
659 statutes are repealed and the following is substituted in lieu thereof
660 (*Effective from passage*):

661 (a) "Conservator of the estate" means a person, a municipal or state
662 official, or a private profit or nonprofit corporation except a hospital or
663 nursing home facility as defined in section 19a-521, appointed by the
664 Court of Probate under the provisions of sections 45a-644 to 45a-663,
665 inclusive, to supervise the financial affairs of a person found to be
666 incapable of managing his or her own affairs or of a person who
667 voluntarily asks the Court of Probate for the appointment of a
668 conservator of the estate, and includes a temporary conservator of the
669 estate appointed under the provisions of section 45a-654.

670 (b) "Conservator of the person" means a person, a municipal or state
671 official, or a private profit or nonprofit corporation, except a hospital
672 or nursing home facility as defined in section 19a-521, appointed by
673 the Court of Probate under the provisions of sections 45a-644 to 45a-
674 663, inclusive, to supervise the personal affairs of a person found to be
675 incapable of caring for himself or herself or of a person who
676 voluntarily asks the Court of Probate for the appointment of a
677 conservator of the person, and includes a temporary conservator of the
678 person appointed under the provisions of section 45a-654.

679 Sec. 35. Subsection (b) of section 46a-1 of the general statutes is
680 repealed and the following is substituted in lieu thereof (*Effective from*
681 *passage*):

682 (b) There shall be an executive director of the Permanent
683 Commission on the Status of Women. The executive director and any
684 necessary staff shall be employed by the Joint [Standing] Committee
685 on Legislative Management. The commission shall have no authority
686 over staffing or personnel matters.

687 Sec. 36. Subsection (b) of section 46a-126 of the general statutes is

688 repealed and the following is substituted in lieu thereof (*Effective from*
689 *passage*):

690 (b) There shall be an executive director of the Commission on
691 Children. The executive director and any necessary staff shall be
692 employed by the Joint [Standing] Committee on Legislative
693 Management. The commission shall have no authority over staffing or
694 personnel matters.

695 Sec. 37. Subsection (c) of section 46b-38c of the general statutes is
696 repealed and the following is substituted in lieu thereof (*Effective from*
697 *passage*):

698 (c) Each such local family violence intervention unit shall: (1) Accept
699 referrals of family violence cases from a judge or prosecutor, (2)
700 prepare written or oral reports on each case for the court by the next
701 court date to be presented at any time during the court session on that
702 date, (3) provide or arrange for services to victims and offenders, (4)
703 administer contracts to carry out such services, and (5) establish
704 centralized reporting procedures. All information provided to a family
705 relations counselor, family relations counselor trainee or family
706 services supervisor employed by the Judicial [Branch] Department in a
707 local family violence intervention unit shall be used solely for the
708 purposes of preparation of the report and the protective order forms
709 for each case and recommendation of services and shall otherwise be
710 confidential and retained in the files of such unit and not be subject to
711 subpoena or other court process for use in any other proceeding or for
712 any other purpose, except that a family relations counselor, family
713 relations counselor trainee or family services supervisor employed by
714 the Judicial [Branch] Department:

715 (A) Shall disclose to the court and the prosecuting authority for
716 appropriate action information that the victim has indicated that the
717 defendant holds a permit to carry a pistol or revolver or possesses one
718 or more firearms;

719 (B) May disclose to an employee of the Department of Children and
720 Families information that indicates that a defendant poses a danger or
721 threat to a child or a parent of the child;

722 (C) May disclose to another family relations counselor, family
723 relations counselor trainee or family services supervisor information
724 pursuant to guidelines adopted by the Chief Court Administrator;

725 (D) May disclose to a bail commissioner employed by the Judicial
726 [Branch] Department information regarding a defendant who is on or
727 is being considered for pretrial release;

728 (E) May disclose to a law enforcement agency information that
729 indicates that a defendant poses a danger or threat to another person;

730 (F) May disclose, after disposition of a family violence case, (i) to a
731 probation officer or a juvenile probation officer, for purposes of
732 determining service needs and supervision levels, information
733 regarding a defendant who has been convicted and sentenced to a
734 period of probation in the family violence case, and (ii) to
735 organizations under contract with the Judicial [Branch] Department to
736 provide family violence programs and services, for purposes of
737 determining program and service needs, information regarding
738 defendants who are their clients; and

739 (G) [The family relations counselor, family relations counselor
740 trainee or family services supervisor shall] Shall disclose such
741 information as may be necessary to fulfill such counselor's, trainee's or
742 supervisor's duty as a mandated reporter under section 17a-101a to
743 report suspected child abuse or neglect.

744 Sec. 38. Subsection (a) of section 46b-133a of the general statutes is
745 repealed and the following is substituted in lieu thereof (*Effective from*
746 *passage*):

747 (a) A nolle prosequi may not be entered as to any count of
748 delinquency if the [juvenile] child objects to the nolle prosequi and

749 demands either a trial or dismissal, except with respect to prosecutions
750 in which a nolle prosequi is entered upon a representation to the court
751 by the prosecutorial official that a material witness has died,
752 disappeared or become disabled or that material evidence has
753 disappeared or has been destroyed and that a further investigation is
754 therefore necessary.

755 Sec. 39. Subsection (e) of section 51-51l of the general statutes is
756 repealed and the following is substituted in lieu thereof (*Effective from*
757 *passage*):

758 (e) Notwithstanding the provisions of subsections (a) and (b) of this
759 section, the council shall disclose any information concerning
760 complaints received by the council on and after January 1, 1978,
761 investigations, and disposition of such complaints to the [legislative
762 program review and investigations committee] Legislative Program
763 Review and Investigations Committee when requested by the
764 committee in the course of its functions, in writing and upon a
765 majority vote of the committee, provided no names or other
766 identifying information shall be disclosed.

767 Sec. 40. Subsection (g) of section 51-81b of the general statutes is
768 repealed and the following is substituted in lieu thereof (*Effective from*
769 *passage*):

770 (g) This section shall not apply (1) to any attorney whose name has
771 been removed from the roll of attorneys maintained by the clerk of the
772 superior court for the judicial district of Hartford, [or] (2) to any
773 attorney who has retired from the practice of law, provided the
774 attorney shall file written notice of retirement with the clerk of the
775 superior court for the judicial district of Hartford, [or] (3) to any
776 attorney who does not engage in the practice of law as an occupation
777 and receives less than four hundred fifty dollars in legal fees or other
778 compensation for services involving the practice of law during any
779 calendar year, or [(3)] (4) with respect to the tax due in any calendar
780 year, to any attorney serving on active duty with the armed forces of

781 the United States for more than six months in such year.

782 Sec. 41. Subsection (a) of section 53a-40d of the general statutes is
783 repealed and the following is substituted in lieu thereof (*Effective from*
784 *passage*):

785 (a) A persistent offender of crimes involving assault, stalking,
786 trespass, threatening, harassment, criminal violation of a protective
787 order or criminal violation of a restraining order is a person who (1)
788 stands convicted of assault under section 53a-61, stalking under section
789 53a-181d, threatening under section 53a-62, harassment under section
790 53a-183, criminal violation of a protective order under section 53a-223,
791 criminal violation of a restraining order under section 53a-223b or
792 criminal trespass under section 53a-107 or 53a-108, and (2) has [] (A)
793 been convicted of a capital felony, a class A felony, a class B felony,
794 except a conviction under section 53a-86 or 53a-122, a class C felony,
795 except a conviction under section 53a-87, 53a-152 or 53a-153, or a class
796 D felony under sections 53a-60 to 53a-60c, inclusive, 53a-72a, 53a-72b,
797 53a-95, 53a-103, 53a-103a, 53a-114, 53a-136 or 53a-216, assault under
798 section 53a-61, stalking under section 53a-181d, threatening under
799 section 53a-62, harassment under section 53a-183, criminal violation of
800 a protective order under section 53a-223, criminal violation of a
801 restraining order under section 53a-223b, or criminal trespass under
802 section 53a-107 or 53a-108, (B) been convicted in any other state of any
803 crime the essential elements of which are substantially the same as any
804 of the crimes enumerated in subparagraph (A) of this subdivision, or
805 (C) been released from incarceration with respect to such conviction.

806 Sec. 42. Subsection (f) of section 54-360 of the general statutes is
807 repealed and the following is substituted in lieu thereof (*Effective from*
808 *passage*):

809 (f) The proceeds from any sale of property under subsection (e) of
810 this section shall be applied: (1) To payment of the balance due on any
811 lien preserved by the court in the forfeiture proceedings; (2) to
812 payment of any costs incurred for the storage, maintenance, security

813 and forfeiture of such property; and (3) to payment of court costs. The
 814 balance, if any, shall be deposited in the privacy protection guaranty
 815 and enforcement account established under section 42-472a.

816 Sec. 43. Subsection (a) of section 12-3b of the general statutes is
 817 repealed and the following is substituted in lieu thereof (*Effective*
 818 *October 1, 2011*):

819 (a) There is created an Abatement Review Committee which shall
 820 consist of the State Comptroller or an employee of the office of the
 821 State Comptroller designated by said Comptroller, the Secretary of the
 822 Office of Policy and Management or an employee of the Office of
 823 Policy and Management ~~[designed]~~ designated by said secretary and
 824 the Commissioner of Revenue Services or an employee of the
 825 Department of Revenue Services designated by said commissioner.
 826 Said committee shall meet monthly or as often as necessary to approve
 827 any abatement, in whole or in part, of tax, including any penalty or
 828 interest payable in connection therewith, which the Commissioner of
 829 Revenue Services or the executive director of the Division of Special
 830 Revenue is authorized to abate pursuant to any provision of the
 831 general statutes. A majority vote of the committee shall be required for
 832 approval of such abatement.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	1-2b
Sec. 2	<i>from passage</i>	1-4
Sec. 3	<i>from passage</i>	1-6
Sec. 4	<i>from passage</i>	1-65bb
Sec. 5	<i>from passage</i>	2-8(c)
Sec. 6	<i>from passage</i>	2-11
Sec. 7	<i>from passage</i>	2-15
Sec. 8	<i>from passage</i>	2-53g(a)
Sec. 9	<i>from passage</i>	2-54
Sec. 10	<i>from passage</i>	2-54a
Sec. 11	<i>from passage</i>	2-120(g)

Sec. 12	<i>from passage</i>	2-121(f)
Sec. 13	<i>from passage</i>	2-122(f)
Sec. 14	<i>from passage</i>	2c-3
Sec. 15	<i>from passage</i>	2c-21
Sec. 16	<i>from passage</i>	3-110i
Sec. 17	<i>from passage</i>	3-123h(a)
Sec. 18	<i>from passage</i>	4a-62(b)
Sec. 19	<i>from passage</i>	8-30g(f) and (g)
Sec. 20	<i>from passage</i>	9-19e
Sec. 21	<i>from passage</i>	9-164(b)
Sec. 22	<i>from passage</i>	9-453b
Sec. 23	<i>from passage</i>	10-183ff(f)
Sec. 24	<i>July 1, 2011</i>	12-412(82)
Sec. 25	<i>from passage</i>	14-181(a)
Sec. 26	<i>from passage</i>	14-283b(c)
Sec. 27	<i>from passage</i>	15-101mm(b)
Sec. 28	<i>from passage</i>	16a-4c(b)(2)
Sec. 29	<i>from passage</i>	17b-420(f)
Sec. 30	<i>from passage</i>	29-2a
Sec. 31	<i>from passage</i>	32-9cc(b)
Sec. 32	<i>from passage</i>	34-33e(c)
Sec. 33	<i>from passage</i>	36a-573(c)
Sec. 34	<i>from passage</i>	45a-644(a) and (b)
Sec. 35	<i>from passage</i>	46a-1(b)
Sec. 36	<i>from passage</i>	46a-126(b)
Sec. 37	<i>from passage</i>	46b-38c(c)
Sec. 38	<i>from passage</i>	46b-133a(a)
Sec. 39	<i>from passage</i>	51-51l(e)
Sec. 40	<i>from passage</i>	51-81b(g)
Sec. 41	<i>from passage</i>	53a-40d(a)
Sec. 42	<i>from passage</i>	54-36o(f)
Sec. 43	<i>October 1, 2011</i>	12-3b(a)

JUD *Joint Favorable Subst.*